

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

JENNIFER BENSON,

Petitioner,

v.

CIVIL ACTION NO. 2:19-cv-00357
(Criminal No. 2:17-cr-00198-10)

UNITED STATES OF AMERICA,

Respondent.

ORDER

This action was referred to United States Magistrate Judge Omar Aboulhosn for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On August 18, 2020, Magistrate Judge Aboulhosn submitted his Proposed Findings & Recommendations [ECF No. 423] (“PF&R”) and recommended that the court **DENY** Petitioner’s Motion under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody [ECF. No. 370] and **REMOVE** this matter from the court’s docket. Objections to the PF&R were due, at the latest, by September 4, 2020. Neither party timely filed objections to the PF&R nor sought an extension of time.

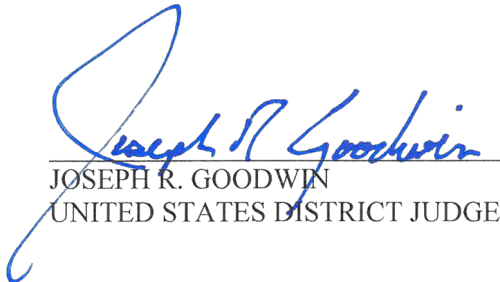
A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de

novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R and orders judgment consistent therewith. The court **DENIES** Petitioner's Motion [ECF No. 370] and **REMOVES** this matter from the docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: September 17, 2020



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE